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10 Attorneys for Defendant THE TRAVELERS  
11 INDEMNITY COMPANY

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15 AFFILIATED ENGINEERS W, INC.

No. C 06-04865-JW

16 Plaintiff,

17 vs.

18 THE TRAVELERS INDEMNITY  
19 COMPANY,

20 Defendant.

**STIPULATION FOR  
CONTINUANCE OF CASE  
MANAGEMENT CONFERENCE;  
[PROPOSED] ORDER THEREON**  
[Local Rule 6-2, 7-12]

Complaint filed: August 11, 2006  
Trial Date: None Set

21 WHEREAS, Plaintiff Affiliated Engineers W., Inc. ("Plaintiff") filed a Motion for  
22 Summary Adjudication on the duty to defend in this matter on September 15, 2006; and

23 WHEREAS, the hearing on Plaintiff's motion was held on November 6, 2006, and  
24 the matter was taken under submission; and

25 WHEREAS, the parties herein, through their counsel of record, have met and  
26 conferred regarding case management; and

27 WHEREAS, the parties agree that many of the case management issues, such as the  
28 extent of and timing of discovery and the length of and time for trial, are dependent on the  
outcome of Plaintiff's Motion for Summary Adjudication; and

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WHEREAS, the current case management conference is scheduled for November 20, 2006, and the parties' joint case management conference statement is due on or before November 10, 2006; and

WHEREAS, the parties believe that they can more intelligently address the issues in the joint case management statement, if the statement is submitted after the ruling on Plaintiff's Motion For Summary Adjudication; and

WHEREAS, there have been no prior continuances of the case management conference; and

WHEREAS, the parties believe that a continuance of the case management conference will not significantly affect the timing of the final resolution of this case;

NOW THEREFORE, it is stipulated that the foregoing facts are true and correct and that the case management conference, which is currently scheduled for November 20, 2006, should be continued to January 8, 2007 at 10:00 a.m. or to such other date and time as the Court shall order, and that the joint case management conference statement shall be due ten days before the case management conference.

DATED: November 7, 2006

**NIELSEN, HALEY & ABBOTT LLP**

By:   
James C. Nielsen

Attorneys for Plaintiff AFFILIATED  
ENGINEERS W, INC.

DATED: November 7, 2006

**RUDLOFF WOOD & BARROWS LLP**

By:   
G. Edward Rudloff Jr.

Attorneys for Defendant THE TRAVELERS  
INDEMNITY COMPANY

[PROPOSED] ORDER

Pursuant to stipulation, it is hereby ordered that the case management conference in the above captioned action, which is currently set for November 20, 2006 at 10:00 a.m. is continued to January 8, 2007 at 10:00 a.m.

IT IS SO ORDERED.

DATED: 11/08/2007

  
UNITED STATES DISTRICT JUDGE

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**PROOF OF SERVICE BY MAIL AND ELECTRONIC SUBMISSION**

I, Barbara Parker, hereby declare:

I am over the age of eighteen and not a party to the within cause. I am employed in the County of Alameda, California, in the office of a member of the bar of the court in which the within action is pending at whose direction the following service was made. My business address is Rudloff Wood & Barrows LLP, 2000 Powell Street, Suite 900, Emeryville, California 94608.

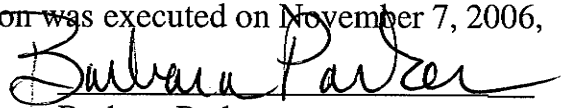
I am personally and readily familiar with the business practice of Rudloff Wood & Barrows LLP for the collection and processing of correspondence for mailing with the United States Postal Service, pursuant to which mail placed for collection at designated stations in the ordinary course of business is deposited the same day, proper postage prepaid, with the United States Postal Service.

I am also personally and readily familiar with the business practice of Rudloff Wood & Barrows LLP for electronic service of documents.

On November 7, 2006, I served the within: **STIPULATION FOR CONTINUANCE OF CASE MANAGEMENT CONFERENCE; [PROPOSED] ORDER THEREON [Local Rule 6-2, 7-12]** on the parties named below in this action by (1) submitting via electronic submission and (2) placing a true copy thereof enclosed in a sealed envelope for collection and mailing on this date, following ordinary business practices, addressed as follows:

James C. Nielsen , Esq.  
Nielsen, Haley & Abbott LLP  
44 Montgomery St., Suite 750  
San Francisco, CA 94104  
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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that this declaration was executed on November 7, 2006, at Emeryville, California.

  
Barbara Parker